



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,770	12/03/1999	CLIFFORD C. THOMPSON	2849/0G277	4218

7590 02/21/2002

DARBY & DARBY P C
805 THIRD AVENUE
NEW YORK, NY 10022

EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
----------	--------------

2163

DATE MAILED: 02/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/454,770

Applicant(s)

THOMPSON, CLIFFORD C. *TD*

Examiner

Akiba Robinson-Boyce

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2163

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-9, 11-16, 18-19, 21-27, 29-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Ramsden, et al (US Patent 6,105,014).

As per claim 1, Ramsden, et al discloses:

carrying the parcel to the location...accessing the secure receptacle...placing the parcel within the secure receptacle...(Col. 25, lines 9-11;

automatically registering the placement of the parcel...(Col. 25, line 11, [validate]);

The following is inherent with Ramsden, et al because since the package is already secure, the act of resecuring the secure receptacle is redundant:

resecuring the secure receptacle;

As per claims 2, 22, Ramsden, et al discloses:

reading a code on the parcel...and storing...(Col. 18, lines 34-44).

Art Unit: 2163

As per claims 3, 23, Ramsden, et al discloses:

accessing a remote location by a communication link...(Col. 24, lines 26-32);

conveying the placement data to the remote location...(Col. 24, lines 33-37);

wherein the registering step is in response to the resecuring step...(Col. 25, lines 9-11).

As per claims 4, 19, Ramsden, et al discloses:

wherein the secure receptacle has a locked state and an unlocked state...moving from the locked stat to the unlocked state...(Col. 13, lines 58-62, Col. 14, lines 35-44).

As per claims 5, 21, 33, Ramsden, et al discloses:

wherein the authorized identifier is received from at least one of ...a key pad.../wherein the access device is configured to receive at least one of:...a code from a keypad...(Fig. 8, [226]).

As per claims 6, 31, Ramsden, et al discloses:

wherein the secure receptacle has a locked state and an unlocked state...moving from the unlocked state to the locked state.../wherein the lock secures the door...(Col. 14, lines 45-54).

As per claims 7-9, 24-27, Ramsden, et al discloses:

including the additional step of generating a log entry...(Col. 10, lines 32-45).

As per claim 11, Ramsden, et al discloses:

arriving at the location of the secure receptacle...(Col. 29, lines 20-23);

accessing the secure receptacle...(Col. 29, line 28-31);

removing the parcel from the secure receptacle...(Col. 29, lines 34-37);

registering the removal...(Col. 29, lies 31-34).

Art Unit: 2163

As per claim 12, Ramsden, et al discloses:

labeling the parcel...(Col. 21, lines 33-35);

placing the parcel in the secure receptacle...(Col. 21, lines 35-38);

notifying a carrier...(Col. 10, lines 25-29).

As per claim 13, Ramsden, et al discloses:

including the additional step of securing...(Col. 21, lines 59-62).

As per claim 14, Ramsden, et al discloses:

generating a code...(Col. 21, lines 22-26);

affixing the code...(Col. 21, lines 33-35).

As per claims 15 and 16, Ramsden, et al discloses:

wherein the notifying step includes the step of transmitting the placement data.../wherein the notifying step includes the steps of : accessing a remote location by a communication link...(Col. 24, lines 26-32 and lines 38-43).

As per claim 18, Ramsden, et al discloses:

electronically measuring the parcel dimensions...(Col. 3, lines 7-8);

electronically measuring the parcel weight...(Col. 3, lines 8-10);

As per claim 29, Ramsden, et al discloses:

a secure receptacle...(Col. 13, lines 8-21);

as scanner...(Col. 16, lines 49-54);

a communication device...(Col. 16 lines 57-60)

Art Unit: 2163

As per claim 30, Ramsden, et al discloses:

a platform...(Col. 14, lines 30-32);

a door for selectively providing access...(Col. 14, lines 45-49);

a lock for securing the door...(Col. 14, lines 42-44).

As per claim 32, Ramsden, et al discloses:

released in response to a signal fro the access device...(Col. 14, lines 42-44).

As per claim 34, Ramsden, et al discloses:

wherein the communication device transmits the information received from the scanner to a remote location...(Col. 16, lines 57-66, Col. 24, lines 1-6, lines 33-37).

As per claim 35, Ramsden, et al discloses:

further comprising a button connected to the communication device for initiating a communication to a remote location...(Col. 8, lines 11-19).

As per claim 36, Ramsden, et al discloses:

further comprising a scale for registering the weight of the parcel...(Col. 3, line 7).

As per claim 37, Ramsden, et al discloses:

further comprising a ruler for registering...(Col. 3, lines 8-9).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2163

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10, 20, 28, 35, 38, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsden, et al (US Patent 6,105,014).

As per claim 10, 28, Ramsden, et al fails to disclose:

where in the placing step is performed at night...

Official notice is taken that it is old and well known in the parcel delivery art to place the parcel within the secure receptacle at night. It would have been obvious to one of ordinary skill in the art to place the parcel within the secure receptacle at night with the motivation of keeping the package secure by avoiding outside interferences which are reduced at night.

As per claim 20, Ramsden, et al fails to disclose:

wherein the authorized identifier is received from an access device...

Official notice is taken that it is old and well known in the parcel delivery for the authorized identifier to be received from an access device. It would have been obvious to one of ordinary skill in the art for the authorized identifier to be received from an access device with the motivation of only specified entities being able to securely retrieve the identifier and accessing the parcel.

As per claim 38, Ramsden, et al fails to disclose:

wherein the secure receptacle has a waterproof shell.

Art Unit: 2163

Official notice is taken that it is old and well known in the parcel delivery for the secure receptacle to have a waterproof shell. It would have been obvious to one of ordinary skill in the art for the secure receptacle to have a waterproof shell for the motivation of keeping the package together and guaranteeing security.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ramsden, et al (US Patent 6,105,014) and further in view of Scolly, et al (US Patent 6,003,010).

As per claim 17, Ramsden, et al fails to disclose the following, however Scolly, et al discloses:

including the additional step of dispatching a courier to the location of the secure receptacle...(Col. 1, line 12 and Col. 2, lines 30-34).

It would have been obvious to one of ordinary skill in the art to dispatch a courier to the location of the secure receptacle with the motivation of having a reliable source for parcel transport.

Conclusion

6. An inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba Robinson-Boyce whose telephone number is (703) 305-1340. The examiner can normally be reached on Monday-Friday from 6:30 AM-3:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3988.

Art Unit: 2163

An inquiry of a general nature or relating to the status of this application proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Q. R.B.

Akiba Robinson-Boyce

Patent Examiner

Group Art Unit 2163

February 7, 2002

Kyle S. Choi
Primary Examiner
Art Unit 2163